

REMARKS

The present invention relates to a stent, to a method of manufacturing such stent, to a system comprising such stent, and to a method for the minimal invasive implantation of such stent.

This Amendment is filed in connection with the filing herewith of a Request for Continued Examination (RCE), and is further responsive to the Office Action dated July 14, 2010, wherein claims 1 and 4 - 11 were rejected under 35 U.S.C. § 102(b) based on U.S. 2003/0153971 (Chandrasekaran), and various subsets of the pending claims were rejected under 35 U.S.C. § 103(a) based on Chandrasekaren in view of U.S. 6,287,332 (Bolz), Chandrasekaren in view of EP 1033145 A1 (Igaki) , etc.

Furthermore, in the response to Applicant's earlier arguments at pages 10 - 13 of the Office Action, the Examiner cited U.S. 2003/0139801 (Sirhan) as disclosing stainless steel as being degradable within the body.

In the present Amendment, independent claim 1 has been further amended to specify that the networks comprise pentadecalacton units. Accordingly, claim 7 has been canceled, and claim 8 has been amended for consistency herewith. The amendment of claim 1 is supported e.g., by original claim 7.

Applicant respectfully submits that the claims as amended here are unanticipated and unobvious in view of the cited art of record, and that accordingly the previous rejections should be withdrawn and not applied against the present claims. The reasons are explained in further detail below.

As to the novelty rejection over Chandrasekaran in view of Sirhan, Applicant must

point out that the disclosure of Sirhan alleging that stainless steel is biodegradable is simply completely wrong. In fact, stainless steel is not biodegradable. That's why stainless steel is commonly used for the fabrication of durable implants. Consequently, Chandrasekaran, while teaching to use a basic structure of stainless steel, completely fails to disclose a biodegradable basic structure.

Moreover, as far as Chandrasekaran applies to shape memory polymers as a coating of the basic structure, there is no specific disclosure of suitable materials, but only a reference to US 6,160,084 (Langer et al).

Langer et al, however, fails to disclose shape memory polymers comprising pentadecalacton units.

Bolz et al does not disclose polymeric materials. Thus, Bolz also fails to disclose memory polymers comprising pentadecalacton units.

Although Igaki discloses biodegradable SMP materials (par. [0024]) these materials do not comprise networks comprising pentadecalacton units.

It also follows that even by combining all these documents, the subject-matter of present claim 1 cannot be constructed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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